

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43369 of 2018

Arising Out of PS.Case No. -109 Year- 2018 Thana -HATHAURI District- MUZAFFARPUR

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Bibhuti Bhushan @ Yadavjee Son of Dinesh Rai @ Dinesh Kumar Resident
of village- Baluaha Tola Malikana, P.S.- Hathauri, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

4.500 litres of foreign liquor is said to have been
recovered from the hut of the petitioner and the petitioner was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or hut in question. He has been falsely



implicated in the case by the police merely on suspicion as the hut of the petitioner is adjacent to the place of recovery. He happens to be student. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 13.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Hathauri P.S. Case No. 109 of 2018.

(Prakash Chandra Jaiswal, J)

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